

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

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DERICK VOLKMAN, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

Case No. 18-cv-00091-WCG

ENHANCED RECOVERY COMPANY,  
LLC, a Delaware Limited Liability Company,  
d/b/a ERC,

Defendant.

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**ORDER GRANTING PLAINTIFF'S UNOPPOSED REQUEST FOR  
APPROVAL OF FORM AND METHOD OF CLASS NOTICE**

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Plaintiff, Derek Volkman, by and through Class Counsel, having moved for approval of the form and method of class notice, and the Court having reviewed Plaintiff's submission; and good cause appearing;

**IT IS** on this 19th day of November, 2018, hereby **ORDERED**:

1. Plaintiff's Request is **GRANTED**.
2. The proposed Notice to Class Members ("Notice") in the form of submitted with Plaintiff's Request is **APPROVED**.
3. Class Counsel is hereby authorized to retain the services of Heffler Claims Group LLC, a reputable third-party class action administrator ("Administrator") for purposes of mailing the Court's approved Notice to the Class, receiving any Class Member requests for exclusion, and establishing a toll-free telephone number and website for responding to Class Member requests for information and providing case documents.
4. Within 7 days after the entry of this Order, Class Counsel shall inform Defendant's counsel of the format of an electronic file acceptable to the Administrator for

supplying Class Members' names and addresses. The Administrator's electronic requested file format shall be one widely used in the industry.

5. Within 7 days after Class Counsel provides Defendant's counsel with the information set forth in Paragraph 4, Defendant shall supply Class Counsel with an electronic file in the specified format containing each Class Member's name and last known address.

6. Within 14 days after Defendant's counsel provides Class Counsel with the information set forth in Paragraph 5, the Administrator shall mail the Notice to each Class Member via first-class U.S. Mail.

7. For purposes of the Notice's deadline for a Class Member's request to be excluded from the Class, the Administrator shall use the first Wednesday which is 45 days after the date on which the Notices are mailed.

8. If any Notice is returned to the Administrator as undeliverable, the Administrator shall attempt to obtain an updated address from recognized sources (*e.g.*, U.S. Post Office's National Change of Address database and skip tracing databases) and promptly re-mail the Notice using the updated address.

9. Within 14 days after the deadline for a Class Member's request to be excluded from the Class, the Administrator shall provide Class Counsel with a declaration setting forth the number of Notices mailed, the number of Notices returned, the number of Notices for which updated addresses were obtained and successfully re-mailed, and the number of exclusions received. Class Counsel shall promptly file that declaration with the Court.

**SIGNED AND ENTERED** this 17<sup>th</sup> day of November, 2018.

s/ William C. Griesbach  
WILLIAM C. GRIESBACH  
Chief Judge, United States District Court